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REMARKS

Upon entry of the present amendment, claims 1-20 will have been canceled and claims 21-28 will have been submitted for consideration by the Examiner. In view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant wishes to respectfully thank the Examiner for acknowledging the Claim for Foreign Priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copies of the priority documents upon which the claim is based.

Applicant further wishes to thank the Examiner for considering the documents cited in the Information Disclosure Statements of November 27, 2000 and December 4, 2003.

In the outstanding Official Action, the Examiner considered Applicant's Election with Traverse filed in the U.S. Patent and Trademark Office on February 11, 2005 and determined the arguments not to be persuasive. Accordingly, the Examiner deemed the Restriction Requirement proper and made the same final.

For reasons including those set forth in Applicant's traverse of February 11, 2005, Applicant submits that the Examiner's Restriction Requirement is not proper and requests reconsideration thereof. Nevertheless, and solely in order to expedite the prosecution of the present application, Applicant has canceled the claims withdrawn from consideration. Applicant is considering filing a divisional application directed to the subject matter of these claims.

In the outstanding Official Action, the Examiner rejected claims 1, 11, 12 and 16

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under the judicially created doctrine of obviousness type double patenting as unpatentable over claims 1 and 5 of U.S. Patent No. 6,373,434 (HAYAKAWA). The Examiner admitted that the conflicting claims are not identical but also asserted that they are not patentably distinct from each other.

Without in any manner acquiescing in the propriety of the Examiner's rejection, Applicant has, by the present Response, canceled all of claims 1, 11, 12 and 16. Accordingly, the above-noted judicially created doctrine of obviousness type double patenting rejection has been rendered moot.

The Examiner rejected claims 1, 11, 12 and 16 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,357,609 (SPENCER).

The Examiner further indicated claims 2, 6-9, 14 and 18 as objected to for being dependent upon a rejected base claim. The Examiner further indicated that these claims would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims.

By the present Response and without in any way acquiescing in the propriety of the Examiner's rejection, Applicant has rewritten claims 2, 14 and 18 into independent form. Accordingly, Applicant respectfully submits that at least in accordance with the Examiner's indication, all the claims in the present application are now clearly in condition for allowance and an action to such effect is respectfully requested in due course.

In this regard, Applicant notes that presently pending claim 21 corresponds to the subject matter of claims 1 and 2 which were indicated to define allowable subject matter by the Examiner. Claims 22-25 correspond to the subject matter of claims 6-9. Claims 26 and 27 correspond to the subject matter of claims 14 and 18 rewritten into independent

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form including the limitations of the base claim.

In so rewriting these claims into independent form, Applicant has revised the language somewhat to be more concise and to more clearly define the features of Applicant's invention. Nevertheless, the substantive recitations of each of the objected to dependent claims have been incorporated into the respective newly submitted independent claims.

Applicant further notes the Examiner's reasons for indication of allowable subject matter with regard to objected to claims 2, 6, 14 and 18. In this regard, while Applicant does not disagree with the particular features enumerated by the Examiner, Applicant further wishes to point out that each of the independent claims in the present application recite a particular combination of features and that the basis for the patentability of each claim is based on the totality of the particular features recited therein. Accordingly, the reasons for indication of allowable subject matter should not be limited to those features enumerated by the Examiner.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration of each of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

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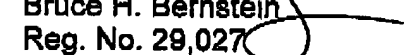
SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has canceled all of the rejected and withdrawn-from-consideration claims. Applicant has rewritten, without acquiescing in the propriety of the Examiner's rejection, each of the objected to claims into independent form. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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